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Turks and Caicos Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 18 December 2017. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Turks and Caicos Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor John Freeman (October 2016)

Geography: The Territory, which comprises 40 islands and cays, lies 145 km north of Haiti and the Dominican Republic and 925 km south-east of Miami, United States of America. Six islands are permanently inhabited: Grand Turk, where the capital is located; Providenciales, the business and tourist centre with the great majority of the population; North Caicos; Middle Caicos; South Caicos; and Salt Cay.

Land area: 948.2 km^2

Exclusive economic zone: 154,068 km^2

Population: 37,910 (2016 estimate): 38.1 per cent are citizens, or "belongers"; 61.9 per cent are immigrants, or "non-belongers", from the Bahamas, Canada, the Dominican Republic, Haiti, the United Kingdom, the United States and other countries (2012 census)

Life expectancy at birth: 79.8 years (men: 77.1 years; women: 82.7 years (2016 estimate))

Language: English

Capital: Cockburn Town

Head of territorial Government: Sharlene Cartwright-Robinson (December 2016)

Main political parties: People's Democratic Movement; Progressive National Party

Elections: Most recent: 15 December 2016; next: due by December 2020

Legislature: House of Assembly

Gross domestic product per capita: $16,813 (2015 estimate)

Economy: Tourism, financial services, construction

Unemployment rate: 11 per cent (2015 estimate)

Monetary unit: United States dollar

Brief history: The first inhabitants of the islands were the Arawakan-speaking Taino people. In 1799, the islands were annexed by Great Britain as part of the Bahamas and subsequently Jamaica. They became a separate colony of the United Kingdom in 1962, when Jamaica achieved independence, but they maintained close constitutional ties with the Bahamas. After the Bahamas became independent, in 1973, a governor replaced the former administrator of the Turks and Caicos Islands.

I. Constitutional, legal and political issues

1. The Turks and Caicos Islands Constitution Order 2011, which entered into force on 15 October 2012, provides for a governor as the head of the Government, a house of assembly composed of elected and appointed members and the Attorney General, with a cabinet and ministers appointed from among those elected or appointed members.

2. The 2011 Constitution also provides for the judiciary, the public service and a number of institutions protecting good governance, notably an integrity commission, a human rights commission, an auditor general and a director of public prosecution. Provisions are also made in relation to Crown land and public financial management. Under the Order, the British Crown reserves the power, with the advice and consent of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws for the peace, order and good governance of the Territory.

3. The Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security, including the police force, and some public service matters.

4. The legislature, the House of Assembly, comprises the Speaker, 15 elected members, 4 appointed members and the Attorney General. Ten members are elected to represent one electoral district each and the remaining five are elected by Territory-wide vote.

5. The law of the Territory consists mainly of locally enacted statutes, along with some laws enacted in the United Kingdom and applied to the Territory, and English common law. The court system includes magistrates' courts, the Supreme Court and the Court of Appeal, with ultimate recourse to the Judicial Committee of the Privy Council. On the advice of a judicial service commission, the Governor appoints magistrates and the judges of the Supreme Court and the Court of Appeal.

6. According to the administering Power, the recent past has seen political turbulence in the Turks and Caicos Islands. The Territory operated on the basis of a ministerial system of government under the 2006 Constitution, negotiated between the elected territorial Government and the United Kingdom, until 14 August 2009, whereupon the United Kingdom brought into force legislation that, among other things, temporarily suspended parts of the Constitution, thereby removing the Government and the House of Assembly. The United Kingdom stated that the action had been motivated by mounting evidence of systemic corruption in the territorial Government and legislature and among public officers, which was uncovered by a commission of inquiry established in July 2008 (see also section IV.E, below).

7. Between August 2009 and November 2012, the Governor, who had been given extended powers, worked under interim constitutional arrangements with an advisory council and a consultative forum. Each was constituted by islanders appointed by the Governor. The arrangement was referred to as the "interim Government", the "interim Administration" or "direct rule".

8. Coinciding with the 2009 suspension of parts of the 2006 Constitution, an economic downturn and austerity measures required to "balance the books" and to ensure that public services in the Territory could continue to function led to layoffs in the public sector. According to the administering Power, doing so generated a degree of resentment among some residents, who perceived the layoffs as being a direct result of the intervention by the United Kingdom.

9. In 2011, the United Kingdom passed a new constitution for the Turks and Caicos Islands, the Territory's fifth since 1962. It added a variety of good governance initiatives and measures to ensure the sound management of public finances.

10. The interim Administration came to an end on 9 November 2012 when elections were held. With an 84 per cent voter turnout, the Progressive National Party, which had been in office when the previous Government was removed in 2009, won eight seats, while the People's Democratic Movement won seven seats. The leader of the Progressive National Party, Rufus Ewing, was sworn in as Premier on 13 November 2012, returning elected government rule to the Territory.

11. In February 2013, the Caribbean Community noted with grave concern that, although the elections of November 2012 had led to the restoration of representative government in the Territory, the overall state of political affairs remained less than desirable and the restoration of true democracy was still a far way off. It dispatched a ministerial fact-finding mission to the Territory in June 2013. According to media reports, the mission's internal report contained a number of recommendations, including the holding of a referendum on the acceptance of British rule under the current Constitution. In March 2014, the Heads of Government of the Community received an update on the situation, undertaking to continue to monitor it and expressing their support for the full restoration of democracy in the Territory on terms driven by its people. Furthermore, they said that they continued to look forward to a response from the Government of the United Kingdom to the mission's report.

12. For its part, in September 2013, the House of Assembly established an eight-member constitutional review committee, which comprised representatives of the territorial Government, the opposition and the public, that was mandated to review the 2011 Constitution, hold consultations with the public and make recommendations by 15 November 2014 to the House for constitutional changes to be debated and ratified for onward submission to the Foreign and Commonwealth Office of the United Kingdom.

13. In its report submitted to the Premier in November 2014, the Committee made a series of recommendations relating to most parts of the 2011 Constitution, which included the reinstatement of the automatic right to trial by jury enshrined in the 2006 Constitution, the inclusion of a requirement that the Premier be a Turks and Caicos Islander, the repeal of the provision disqualifying someone from running for Premier after serving two consecutive terms in that post and the removal of the reference to the Office of the Chief Financial Officer. With regard to a referendum on independence, the Committee stated that it was a matter for the political hierarchy and not within its terms of reference.

14. The final report was debated and passed by the House of Assembly in January 2015, and the recommendations of the Committee were forwarded to the Government of the United Kingdom for its consideration. According to the administering Power, after careful consideration, the Government of the United Kingdom did not accept those recommendations on the grounds that the current Constitution was key to ensuring that the Turks and Caicos Islands continued to meet internationally recognized standards of good governance, the rule of law and sound financial management. However, the post of Chief Financial Officer (see para. 13) was abolished in March 2017.

15. In April 2016, then Governor Peter Beckingham reportedly stated that if the people of an overseas territory wished to consider the possibility of independence, the United Kingdom would not stand in the way of a referendum. He also stated that

it would be for the people of the Turks and Caicos Islands to make up their own minds about whether the benefits of the relationship with the United Kingdom, including education, access to Europe, support for government institutions and security, outweighed the advantages of becoming an independent country.

16. In the general election held on 15 December 2016, with 80.4 per cent voter turnout (6,217 votes cast out of 7,732 registered voters), the People's Democratic Movement won 10 of the 15 elected seats in the House of Assembly, returning to the majority after a 13-year hiatus. Its leader, Sharlene Cartwright-Robinson, became the first female Premier of the Territory on 19 December 2016.

II. Budget

17. According to the administering Power, the territorial Government achieved an unaudited operating surplus of $59.2 million in the financial year 2016/17 ($67.3 million in 2015/16). The surplus, which was $23.3 million above the approved budget projection, was driven by increases in recurring revenues and lower than planned expenditure on recurring activities. The surplus is as calculated before capital expenditure of $23.5 million and principal debt repayments of $11.9 million. The actual performance for the 2016/17 budget cycle included recurring revenues of $262.9 million and recurring expenditures of $202.6 million. The improvement in revenue performance in 2016/17 was tied, in particular, to continued growth in the tourism sector and the levying of a stamp duty land tax and import duties.

18. With respect to the 2017/18 budget, the approved revenue target is $273.5 million (a 9.1 per cent increase over that of the 2016/17 budget), the recurring expenditure target is $223.5 million, the capital expenditure target is $38.3 million and the non-recurring expenditure target is $6.0 million. It is projected that there will be a surplus of $6.0 million.

19. Following Hurricane Irma and Hurricane Maria, a revised budget and supplementary estimate was produced to take into account the forecasted loss in revenue from the tourism industry and associated sectors and to reprioritise government expenditure to recover from the Hurricanes. Subsequently, a deficit budget of $23 million was agreed upon, with the recurring revenue target decreased to $216 million and the recurring expenditure budget reorganized at $223.2 million. The capital expenditure budget was reduced to $20.3 million, which matched a non-recurring receipt of $20.4 million from the Caribbean Catastrophe Risk Insurance Facility ($16.4 million) and the European Development Fund ($4 million, for the construction of a new primary school).

20. The territorial Government levies no corporate or personal income tax, capital gains tax or inheritance tax. Foreign corporations pay licence fees to operate in the Territory.

21. Under the eleventh European Development Fund, the Turks and Caicos Islands was granted an indicative amount of €14.6 million for the period 2014–2020. According to a press release of the European External Action Service dated 21 September 2017, the European Union disbursed €4 million in budget support to the Territory under the education sector reform programme. That was the first of three annual tranches envisioned in the financing agreement signed in February 2017 between the European Union and the territorial Government.

III. Economic conditions

A. General

22. The main sectors of the economy are tourism and financial services. The Territory's gross domestic product (GDP) in 2016 in terms of current prices was estimated at $950.4 million, up from $893.5 million in 2015. The official statistics indicate that the estimated real growth of the economy in 2016 in constant terms was 6.4 per cent, which continued to be mainly attributed to growth in tourism. The territorial Government projects that real GDP in 2017 will reach approximately $671.5 million, representing a forecasted annual growth of 4.3 per cent, compared with approximately $644 million in 2016.

B. Tourism and construction

23. Tourism continues to be the Territory's primary industry, continuing to account for approximately 40 per cent of its GDP in 2016. Tourism also contributes over 25 per cent of the Government's annual recurring revenue. Both foreign investors and visitors, mainly from Canada, the United Kingdom and the United States of America, play significant roles. According to official statistics, cruise passengers accounted for nearly 847,000 visitors in 2016, which represents more than two-thirds of total visitors. The number of ships dropped by 33 and the number of cruise passengers by approximately 80,000, compared with 2015. The vast majority of stopover tourists continue to be accommodated at resorts on Providenciales. The GDP of the hotel and restaurant sector grew by 4 per cent in 2016, but that sector was considerably affected by the tropical storms of September 2017, with initial estimates suggesting a 25 per cent decline.

24. According to information provided by the administering Power, construction activity grew by approximately 5 per cent in 2016 and was forecasted to grow further in 2017, with significant government investment in the sector. According to the administering Power, growth is now likely to be much reduced, if not negative, given the effects of the hurricanes of September 2017.

C. Financial services

25. International financial services, including company registration, trust business and insurance, are a source of external revenue for the Turks and Caicos Islands. According to the administering Power, a significant part of the Territory's financial services sector is the licensing of small captive reinsurance companies that operate primarily in the United States. There are seven commercial banks in the Territory, three of which are Canadian. The licensing, supervision and development of the international financial services sector are entrusted to the Turks and Caicos Islands Financial Services Commission, which also provides a centralized service for registering companies, partnerships, trademarks and patents in the Territory. According to the administering Power, from April 2015 to March 2016, the industry as a whole remained strong, with the number of banks remaining steady compared with the previous year. Total assets in the banking sector contracted by 2.7 per cent during that review period, mainly owing to the reduction of loans and advances (4.1 per cent) and placements at other institutions (4.4 per cent). Non-performing loans also contracted by 31.9 per cent. There was continued growth in the

international insurance sector, which continued to be supported by the expansion of international company incorporation.

26. According to the administering Power, the territorial Government continued to seek treaty partners for tax information exchange agreements. In December 2013, the Territory signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention on Mutual Administrative Assistance in Tax Matters. The Territory has also signed agreements under the Foreign Account Tax Compliance Act with the United Kingdom and the United States.

27. In April 2016, the Turks and Caicos Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. According to the administering Power, under the arrangement, which took effect on 26 June 2017, law enforcement authorities will have timely access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

28. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, held in London on 28 and 29 November 2017, the overseas territories and the United Kingdom welcomed the progress made by the overseas territories with financial centres in implementing the arrangements set out in the exchange of notes on law enforcement exchange of beneficial ownership information, including establishing new and secure systems for the collection, exchange and use of beneficial ownership data, where they did not already exist. The Joint Ministerial Council committed itself to reviewing the effectiveness of the arrangements six months prior to their implementation deadline. It welcomed the cooperation of the overseas territories in international efforts to promote tax transparency and tackle financial crime and the constructive engagement of the overseas territories with the Code of Conduct Group (Business Taxation) of the European Union and at the first meeting of the Global Forum on Asset Recovery. The Joint Ministerial Council reiterated its commitment to showing leadership in tackling corruption and committed itself to prioritizing further work to enable the timely extension to the territories of the application of the United Nations Convention against Corruption, in particular when Territories have requested such an extension, and to set a clear path for that process, building on the meeting held during the seventh session of the Conference of the States Parties to the Convention, held in Vienna from 6 to 10 November 2017.

D. Agriculture and fisheries

29. Agriculture and fisheries typically account for less than 1 per cent of the Territory's GDP. Agricultural production is limited by the lack of fresh water and consists mainly of the growing of vegetables and citrus fruits on the Caicos Islands. According to the administering Power, there are no medium or large commercial producers of either crops or livestock.

30. Fishing is the Territory's main primary sector industry. A recent pelagic fishing study found that the Territory was producing as much as 5,000 pounds of tuna, swordfish, mahi-mahi and other deepwater fish per year for the local and export markets.

E. Communications and utilities

31. The Territory's transport and communications facilities are of fairly good quality. The road network covers about 120 km, with 24 km of paved roads on Grand Turk, Providenciales and the Caicos Islands. Owing to the effects of Hurricane Irma and Hurricane Maria, communications outside of Providenciales are poor.

32. The Territory has three international airports: the main one on Providenciales and smaller ones on Grand Turk and South Caicos. Flights are available to Antigua and Barbuda, the Bahamas, Canada, Cuba, the Dominican Republic, Haiti, Jamaica, the United Kingdom and the United States (including Puerto Rico).

33. The main commercial port of South Dock is situated on Providenciales. Grand Turk has a commercial port and a cruise ship terminal. North Caicos has a deepwater port.

34. Three telecommunications companies provide national and international telephone services in the Territory. There are two television stations in the Territory. The two main weekly newspapers also maintain websites.

35. The Territory has a monopoly supplier of electricity that produces electricity exclusively from diesel-powered generators. Numerous studies have indicated that, owing to the excessive cost of electricity generation, solar and wind technologies would not only be economically viable but also offer a less-expensive alternative for private individuals.

IV. Social conditions

A. General

36. In its 2012 preliminary census report, the Territory noted that, of the total population of 31,458, 16,037 (51 per cent) were men and 15,421 (49 per cent) were women. Around 74 per cent of the total population was over 18 years of age. According to official information, people from approximately 70 countries live in the Turks and Caicos Islands. In 2012, nationals of Haiti were the largest group, comprising 34.7 per cent of the population, followed by nationals of the Dominican Republic at 4.8 per cent. The territorial Government estimated that the total population in 2016 was 37,910 (20,296 men and 19,496 women).

37. The Turks and Caicos Islands National Insurance Board, a statutory body of the territorial Government, is the sole provider of social insurance benefits to persons between 16 and 65 years of age who are gainfully employed within the Territory.

38. According to the 2012 *Turks and Caicos Islands Country Poverty Assessment Report*, 22 per cent of the population and 16 per cent of households were living in poverty, compared with 26 per cent and 18 per cent, respectively, in 1999. On the other hand, the number of people living in poverty in 2012 was much higher (approximately 6,800) than it was in 1999 (around 3,900), owing to the high level of population growth since 1999. The Department of Social Development continues to assist the poor and vulnerable through various programmes, including free medical care, in partnership with the Ministry of Health and Human Services.

B. Labour and immigration

39. The public sector continues to be the Territory's main employer. Other major employment sectors include tourism, construction and international financial and business services. According to official sources, the unemployment rate in 2015 was 11 per cent, down from 12 per cent in 2014.

40. Data from the 2012 preliminary census report indicate that immigrants accounted for 57.5 per cent of the population aged 18 and older. The rate of growth of the immigrant population was much higher than that of citizens.

41. According to the administering Power, since 2012, the Territory has put in place a transparent and simplified system to obtain British overseas territory citizenship. In 2015, a new Turks and Caicos Islander Status Ordinance was passed, which articulated the circumstances for acquiring islander status by right or by grant, in keeping with the Turks and Caicos Islands Constitution Order 2011. In addition, a new immigration ordinance, passed by Parliament in September 2015, was the first ever to include provisions on asylum. In the view of the administering Power, this attests to the Territory's commitment to its obligation under the United Nations 1951 Convention relating to the Status of Refugees.

42. According to the administering Power, while border security remains a concern, the commissioning of a coastal radar station, coupled with diplomatic engagement with countries of origin and working relationships with the marine branch of the police and other response agencies, has proved to be an important tool in the interception and screening of persons seeking to cross borders by sea.

C. Education

43. Education in the Territory is free and compulsory for children from 4 to 16 years of age. There are 47 schools, with a total enrolment of approximately 5,200 pupils, covering preschool to tertiary education. Of those, 10 primary schools and 4 secondary schools are run by the territorial Government. While there are more private schools than public schools, approximately 80 per cent of pupils are enrolled in public schools. There are also two schools for children with special needs. The adult literacy rate among islanders is estimated at 98 per cent, while that of immigrants is much lower.

44. With regard to higher education, the Turks and Caicos Islands Community College, a community college with branches on Grand Turk and Providenciales, provides two-year and four-year courses of study. According to the administering Power, the College, in its five-year strategic plan, identified as priority areas the strengthening of its leadership and administration and the expansion of programme offerings to reflect the Territory's development needs.

45. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

D. Public health

46. According to the administering Power, medical facilities in the Turks and Caicos Islands have improved in recent years with the opening of new hospital facilities operated by Interhealth Canada on Providenciales and Grand Turk. They conduct a range of activities, including diagnostic services, family practice and outpatient specialty clinics, emergency services and inpatient care. Serious cases are referred overseas, including regionally to the Bahamas, the Dominican Republic or Jamaica. If a service is not available regionally, serious cases are referred to facilities outside the Caribbean. Primary health-care facilities are operated by the Primary Health Care Department on all islands.

47. According to the Pan American Health Organization (PAHO), the "Vision 2020" health sector plan includes a primary health care renewal strategy aimed at reducing the use of expensive hospital services and improving access to primary care. The clinical personnel-to-population ratio rose for physicians, from 10.8 per 10,000 persons in 2010, to 18.7 in 2015, and for nurses from 30.3 per 10,000 persons in 2010, to 57.1 in 2015. The ratio for dentists remained unchanged at 1.8 per 10,000 persons, and the ratio for health professionals in 2015 was 32.7 per 10,000 persons. During the period 2010-2016, new and emergent disease threats were posed in large part by mosquito-borne diseases, such as those caused by the dengue, chikungunya and Zika viruses. In 2015, the tobacco control ordinance was enacted to protect the population and visitors from the harmful effects of tobacco.

48. At its sixth meeting, the Overseas Territories Joint Ministerial Council welcomed the fact that the Department of Health of the United Kingdom had continued its support for and commitment to, in partnership with the territories and Public Health England, raising awareness of international health regulations and to developing the relevant capacity to respond to major public health incidents, including outbreaks. The United Kingdom and the overseas territories discussed the importance of raising awareness of and building capacity and expertise in the territories for tackling non-communicable diseases, such as obesity and mental health problems, and the impact of those challenges on the populations of the territories. They committed themselves to working together on those important issues so as to share best practices and resources on preventive approaches and the ways in which they could be adapted to respond to local needs.

E. Crime and public safety

49. The crime rate in the Turks and Caicos Islands remains low. While most offences consist mainly of theft and burglary, there is also some violent crime, such as armed robbery and murder. According to PAHO, Turks and Caicos Islands has enacted legislation that criminalizes human trafficking and mirrors the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In the period 2015–2016, there were 352 reported cases of domestic violence. The domestic violence ordinance of 2014 provides greater protection for victims of domestic violence.

50. In 2017, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, RFA

Mounts Bay has been stationed in the Caribbean since January 2017, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. The ship also worked with other regional navies and coast guards to combat illegal activities on the high seas. RFA *Mounts Bay* and HMS *Ocean* provided vital humanitarian relief to the region, in particular to the three Territories — Anguilla, the British Virgin Islands and the Turks and Caicos Islands — affected by Hurricane Irma and Hurricane Maria, in September.

51. As previously reported, a large criminal investigation by the Special Investigation and Prosecution Team, appointed during the interim Administration when the Governor ruled directly after parts of the Constitution had been suspended, resulted in 14 people (including a former Premier and cabinet ministers) being charged with serious criminal offences. According to the administering Power, the trial process began formally in December 2015, with nine defendants facing a large number of charges, including the former Premier, Michael Misick. He faces charges of conspiracy to receive bribes, conspiracy to defraud the Government and money-laundering relating to his time in office. He was arrested in Brazil in 2012 and extradited to the Turks and Caicos Islands in 2014. He was released on conditional bail by the Supreme Court in January 2014. The administering Power estimated that the trial, which began in January 2016, would last between 12 and 18 months. As at December 2017, the trial was ongoing.

F. Human rights

52. In addition to the Convention for the Protection of Human Rights and Fundamental Freedoms, major international human rights instruments have been extended to the Turks and Caicos Islands. The right of individual petition to the European Court of Human Rights also has been extended to the Territory.

53. To strengthen the human rights framework in the Territory, the 2011 Constitution included a preamble in which the people of the Turks and Caicos Islands affirmed their intention to commit to the democratic values of a just and humane society, pursuing dignity, prosperity, equality, love, justice, peace and freedom for all. In addition, according to the administering Power, the section therein covering fundamental rights and freedoms of the individual provided a more comprehensive and inclusive legal framework that was more aligned to the protections guaranteed by the Convention than that of the previous 2006 Constitution, as evidenced, for example, by the addition of sexual orientation as a protected right.

54. The Human Rights Commission was established in 2008 as one of the institutions tasked with the protection of good governance under the framework set out in the 2011 Constitution. Its primary responsibility is to promote understanding and the observance of human rights. Its operation and functions are governed by subordinate legislation under the Turks and Caicos Islands Human Rights Commission Ordinance 2013.

55. The Equalities Ordinance 2012 offers protection from discrimination additional to that contained in the 2011 Constitution, identifying the protected characteristics of age, disability, marriage, political opinion, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

56. At the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the leaders of the overseas territories discussed their shared

resolve to continue to promote respect for human rights and compliance with international obligations in the territories. In the communiqué adopted at that meeting, they welcomed the constructive engagement of the territories in the preparations for the universal periodic review process of the Human Rights Council in that regard. The leaders of the overseas territories also reaffirmed their commitment to ensuring the highest possible standards for the protection of children and promotion of children's welfare in the territories. At the meeting, the United Kingdom and the overseas territories discussed progress made in promoting interagency cooperation in the territories and the development of national response plans to define policy priorities, noted the particular challenges for those territories affected by the recent hurricanes and agreed that children's welfare should remain a central priority for recovery plans, including through the reconstruction of schools. In addition, they welcomed progress made under a memorandum of understanding to promote more effective collaboration between the overseas territories for the safeguarding of children.

V. Environment

57. The Territory's Department of Environment and Coastal Resources is responsible for the conservation, protection and management of the Territory's natural resources, including wetlands, which cover nearly half of the surface of the islands. Most of the Territory's tourism-based economy hinges on maintaining a natural environment of high quality. While Providenciales and, to a lesser extent, Grand Turk are undergoing rapid development, many of the other islands, such as North Caicos, Middle Caicos and South Caicos, are experiencing less development. East Caicos remains largely untouched and ecologically intact.

58. The Department requires an environmental impact assessment to be conducted for all development projects to ensure that such development will not cause undue damage to the environment and that the best options are taken into account and/or inevitable impacts are mitigated. According to the administering Power, careful attention is given to the delicate balance between development and environmental preservation.

59. The Territory regularly participates in regional meetings sponsored by the Caribbean Regional Fisheries Mechanism, at which planning for sustainable fisheries and disaster risk management are discussed along with climate change issues. The administering Power also continues to provide funds for projects focused on environmental sustainability.

60. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories recognized that the destruction wrought by Hurricane Irma and Hurricane Maria had served as a reminder of the vulnerability of the overseas territories to climate change-related events and the devastating effect that they could have on the lives and livelihoods of those who lived there. They committed themselves to continuing the practice of mutual engagement ahead of international forums on climate change, to ensure that the views and priorities of the overseas territories were fully reflected in negotiations. It was agreed that a representative from the territories would attend the twenty-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Katowice, Poland, from 3 to 14 December 2018, as part of the delegation of the United Kingdom, highlighting the value of their presence in helping to amplify the shared message of

the need for a high degree of ambition on climate change-related targets. The United Kingdom reiterated its commitment to working with the overseas territories on the issue of extending the application of treaties concerning climate change to the territories, including taking forward the work to extend its ratification of the Doha Amendment to the Kyoto Protocol to those territories that had indicated their readiness for it, through initial consultation with territories that had an interest in participating in meetings concerning the Paris Agreement to be held in the first half of 2018. The importance of work in the territories on climate change adaptation and mitigation and collaboration between the territories to share best practices on environmental management and climate change issues, including through the annual meetings of ministers of the environment of the territories, was emphasized.

VI. Relations with international organizations and partners

61. The Turks and Caicos Islands is an associate member of the Economic Commission for Latin America and the Caribbean, including the Commission's Caribbean Development and Cooperation Committee.

62. The Territory is an associate member of the Caribbean Community. It is also a member of the Caribbean Development Bank, the International Criminal Police Organization and the Caribbean Financial Action Task Force. In addition, it is a member of the Caribbean Regional Fisheries Mechanism and an associate member of the Association of Caribbean States.

63. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with the European Union but not a part of it. According to the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories continued their dialogue on the implications for the latter of the decision by the United Kingdom to leave the European Union (known as "Brexit"). In addition, it was indicated that a clear objective of the exit negotiations was to achieve an agreement that worked for all parts of the United Kingdom family, and the United Kingdom affirmed that it would seek to ensure that the security and economic sustainability of the overseas territories was preserved and, where possible, strengthened post-"Brexit".

VII. Future status of the Territory

A. Position of the territorial Government

64. Information on constitutional, legal and political developments is contained in section I, above.

B. Position of the administering Power

65. At the 8th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 9 October 2017, during the seventy-second session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. He said that the territories were an integral part of global Britain and the United Kingdom's commitment to its territories'

security and prosperity remained strong, as demonstrated by the swift and comprehensive response to the devastation wreaked in some territories by Hurricane Irma, and the ongoing recovery efforts.

66. The representative of the United Kingdom went on to say that, the Joint Ministerial Council was the primary forum for high-level political dialogue between the United Kingdom and the overseas territories. As the United Kingdom negotiated to leave the European Union, it was fully committed to taking into account the priorities of the overseas territories, including Gibraltar. The United Kingdom-Overseas Territories Joint Ministerial Council on European Union negotiations had been established to discuss the priorities of the territories and determine further areas for collective engagement. He added that the fundamental responsibility of the Government of the United Kingdom, under international law and the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples.

67. In the communiqué adopted at the sixth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories indicated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring the ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. For those Territories with permanent populations who wished it, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories. The Government of the United Kingdom and the leaders of the overseas territories agreed that the fundamental structure of their constitutional relationships had been the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked and were developed effectively to promote the best interests of the territories and of the United Kingdom.

VIII. Action taken by the General Assembly

68. On 7 December 2017, the General Assembly adopted resolution 72/108 without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2017 (A/72/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the Turks and Caicos Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the Turks and Caicos Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the Turks and Caicos Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Reiterated its support for the full restoration of democracy in the Territory and for the work of the Constitutional Review Committee, and encouraged further efforts by the administering Power in this regard;

(e) Took note of the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

(f) Noted the continuing debate on constitutional reform within the Territory, and stressed the importance of participation by all groups and interested parties in the consultation process;

(g) Stressed the importance of having in place in the Territory a constitution that reflected the aspirations and wishes of its people, based on the mechanisms for popular consultation;

(h) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(i) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(j) Encouraged the Territory to continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars;

(k) Welcomed the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

(l) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the Turks and Caicos Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Turks and Caicos Islands and the administering Power;

(m) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Turks and Caicos Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(n) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(o) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

(p) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(q) Requested the Special Committee to continue to examine the question of the Turks and Caicos Islands and to report thereon to the General Assembly at its seventy-third session and on the implementation of the resolution.

Annex

Map of the Turks and Caicos Islands